

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Antoni P. Tomsia et al.

Ser. No.: 09/845,597

Filing Date: April 30, 2001

Attorney Docket No.: IB-1627

For: GLASS/CERAMIC COATINGS FOR
IMPLANTS

Examiner: Jennifer A. Chriss

Group Art Unit: 1794

Confirmation No.: 3236

**AMENDMENT AND REQUEST TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES TO
REOPEN PROSECUTION PURSUANT TO 37 CFR §41.50(b)(1)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the decision of the Board of Patent Appeals and Interferences dated March 27, 2009 wherein the Board made a new rejection, Applicants request reopening prosecution before the Examiner by submitting an appropriate amendment and/or new evidence pursuant to 37 CFR §41.50(b)(1). Specifically, Applicants amend Claim 1 which the Board had affirmed a rejection based on 35 U.S.C. §102(b) and submit a Declaration under 37 CFR § 1.132 to traverse the new rejection of Claims 1, 3, 5, 8-12, 20-28, and 30.

The Examiner is respectfully requested to enter the amendments and reconsider the application.